

1 **UNITED STATES DISTRICT COURT**

2 EASTERN DISTRICT OF CALIFORNIA

3 ADRIAN MOON,

CASE NO. 1:12-cv-01433-GBC (PC)

4 Plaintiff,

ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

5 v.

6 LEROY BACA, et al,

Doc. 1

7 Defendants.
8 _____/

9 Plaintiff is a federal prisoner proceeding pro se pursuant to 42 U.S.C. § 1983.

10 The federal venue statute requires that a civil action, other than one based on diversity
11 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants
12 reside in the same state, (2) a judicial district in which a substantial part of the events or omissions
13 giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is
14 situated, or (3) a judicial district in which any defendant may be found, if there is no district in which
15 the action may otherwise be brought.” 28 U.S.C. § 1391(b).

16 In this case, none of the defendants reside in this district. The claim arose in Los Angeles County,
17 which is in the Central District of California. Therefore, plaintiff’s claim should have been filed in the
18 United States District Court for the Central District of California. In the interest of justice, a federal court
19 may transfer a complaint filed in the wrong district to the correct district. *See* 28 U.S.C. § 1406(a);
20 *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

21 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
22 District Court for the Central District of California.

23 IT IS SO ORDERED.

24 Dated: September 6, 2012


UNITED STATES MAGISTRATE JUDGE